

The Honorable John C. Coughenour

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA, *et al.*,

Plaintiff,

and

PUYALLUP TRIBE OF INDIANS,

and

CITIZENS FOR A HEALTHY BAY, and  
PUGET SOUNDKEEPER ALLIANCE,

Intervenor-Plaintiffs

vs.

ELECTRON HYDRO, LLC, and THOM A.  
FISCHER

Defendants.

Case No: 2:20-cv-01746-JCC

ORDER GRANTING UNOPPOSED  
MOTION TO AMEND CASE SCHEDULE  
AND TRIAL DATE

Defendants Electron Hydro, LLC and Thom A. Fischer have moved the Court for an order to amend the case schedule order and the trial date in this action. Plaintiff United States of America, Plaintiff-Intervenor Puyallup Tribe of Indians, and Plaintiff-Intervenors Citizens for a Healthy Bay and Puget Soundkeeper Alliance do not oppose the motion. The Court hereby GRANTS the motion for good cause shown. The Parties shall comply with the following case

ORDER

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1 schedule:

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- 3 1. By July 30, 2022, the Parties shall complete Fact Discovery, except that the Fact
- 4 Discovery deadline is extended for Plaintiff and Plaintiff-Intervenor to complete the
- 5 following additional Fact Discovery: (a) conduct the deposition of Thom A. Fischer,
- 6 currently scheduled for August 3, 2022; (b) complete the 30(b)(6) deposition of
- 7 Electron Hydro, LLC, currently scheduled for August 4, 2022; and (c) additional Fact
- 8 Discovery regarding matters within the scope of those two depositions, which shall
- 9 be completed by September 6, 2022.
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- 11 2. On or before September 16, 2022, the Parties shall submit names and expected areas
- 12 of testimony for each expert witness.
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- 14 3. On or before November 1, 2022, Plaintiffs shall submit expert reports under Rule
- 15 26(a)(2) of the Federal Rules of Civil Procedure.
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- 17 4. On or before December 16, 2022, Defendant shall submit expert reports under Rule
- 18 26(a)(2) of the Federal Rules of Civil Procedure.
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- 20 5. On or before February 3, 2023, Plaintiffs and Defendant shall submit rebuttal expert
- 21 reports.
- 22
- 23 6. The Parties shall conduct expert witness depositions beginning on or before February
- 24 17, 2023. Depositions of expert witnesses shall be complete by April 14, 2023.
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- 26 7. On or before May 12, 2023, the Parties shall file any dispositive motions; motions
- 27 and briefs in opposition shall be filed on or before June 23, 2023; replies thereto shall
- 28 be filed on or before July 21, 2023.
8. The Parties shall file a joint proposed pretrial order on or before September 1, 2023.

ORDER

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1 9. Proposed findings of fact and conclusions of law shall be filed by each party by  
2 September 5, 2023.

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4 10. Trial briefs shall be filed by each party by September 7, 2023.

5 11. Bench trial in this matter shall commence on September 11, 2023 at 9:30 a.m. in  
6 Courtroom 16206 before U.S. District Judge John C. Coughenour.

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8 It is so ORDERED this 21st day of July 2022.

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13 John C. Coughenour  
14 UNITED STATES DISTRICT JUDGE  
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28 ORDER

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